

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

RONALD CUTHBERTSON,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Case No. 1:11-cv-582

Diott, J.

Bowman, M.J.

**ORDER**

On August 24, 2011, Plaintiff tendered a *pro se* complaint in this court seeking to appeal a decision of the Commissioner of Social Security under the Social Security Act. Plaintiff's motion to proceed *in forma pauperis* was granted and on October 31, 2011, the Commissioner filed and served its answer and a certified copy of the administrative record, including the transcript of the hearing held before the administrative law judge. Because Plaintiff proceeds *pro se*, the Court recognizes that Plaintiff may not be fully aware of his obligations to comply with the procedures that govern Social Security appeals in this Court, including his obligation to timely file a "Statement of Errors" within forty-five (45) days of service of the answer and administrative record. See Magistrate Judges' General Order Concerning Social Security Appeals.

A *pro se* litigant's failure to comply with a clear Court order may result in the dismissal of his claims for failure to prosecute. In this case, the deadline by which Plaintiff should have filed his "Statement of Errors" is long past. However, on the facts presented, it is appropriate to provide Plaintiff with some additional time in which to comply with the

General Order governing this social security appeal.

Accordingly, **IT IS ORDERED:**

1. The Clerk of Court shall send to Plaintiff a copy of the January 28, 2005 Magistrate Judges' General Order Concerning Social Security Appeals;
2. Plaintiff shall keep the Court apprised of his current address. A failure to do so may result in the dismissal of his case for failure to prosecute;
3. Plaintiff shall file and serve a "Statement of Errors," in compliance with the Magistrate Judges' General Order, not later than **March 8, 2012**.

s/ Stephanie K. Bowman

Stephanie K. Bowman  
United States Magistrate Judge